

**CITY OF TAKOMA PARK, MARYLAND  
PRESENTATION AND BUDGET WORKSESSION  
OF THE CITY COUNCIL  
(Adopted July 11, 2005)**

**Monday, May 16, 2005**

The Council convened at 7:39 p.m. in the Council Chambers of the Municipal Building, 7500 Maple Avenue, Takoma Park, Maryland..

**OFFICIALS PRESENT:**

Mayor Porter

Councilmember Austin-Lane

Councilmember Barry

Councilmember Elrich

Councilmember Mizeur

Councilmember Seamens

Councilmember Williams

City Manager Matthews

Deputy City Manager Hobbs

Acting City Clerk Carpenter

Police Chief Creamer

Communications Director Moffet

**COUNCIL COMMENTS**

Mr. Seamens announced a Town Hall Meeting on Childcare to be held at the Long Branch Community Center.

Mr. Barry noted that the new signal lights at New Hampshire Avenue and Sligo Creek Parkway are finally operational. He thanked staff for their work on this.

Ms. Austin-Lane noted the dedication of Walt Penney Field last Saturday. She commented on the position description for the Film Festival Director which she provided to Council.

Ms. Porter commented on the successful fundraiser for the Takoma Foundation and the Main Street Project. Ms. Porter noted the dedication of Toatley-Fraser Park last week. She announced that the Lt. Governor will be visiting Takoma Park on Thursday, May 19.

**PUBLIC COMMENTS**

Betty Jones, President of the Victory Tower Resident Council, commented on the importance of having the Westmoreland and Carroll crossing area improved.

Elizabeth Neilson, Victory Tower, requested that Council find the funding to repair the Westmoreland Avenue crossing. She commented on how dangerous it is currently.

Virginia Harrington, Victory Tower, spoke on needed improvements to the Westmoreland Avenue crossing.

Anne Ludlow, Victory Tower, encouraged the City to install a second elevator in the Community Center to make it more accessible for seniors and handicapped individuals. She requested that the City purchase a van that is handicapped accessible for senior programs. Ms. Ludlow also requested improvement to the Westmoreland intersection.

## **PRESENTATION**

### **1. Update on the Community Center Construction Project.**

Ms. Matthews reported that the sale of the bonds took place last week. The interest rate is 4.334%, right on target with the numbers we had talked about. The \$205,000 will be sufficient to cover the principal and interest costs. No adjustment is needed in the proposed budget.

Ms. Matthews provided an update on project change orders and proposed change orders.

Mr. Elrich asked for information on the number of crews working outside.

Ms. Matthews agreed to follow up with the contractor and provide additional information. Ms. Matthews noted that certain interior work, including carpeting and millwork, is on hold until the permanent power connection is completed. The rolled steel for the exterior is being fabricated.

Mr. Williams asked about the PCO concerning sidewalks, curbs and gutters.

Ms. Matthews explained that after the contract was signed, a new site plan was submitted which reflected additional or new ADA ramps. The City Engineer had wanted all of Grant Avenue repaved. These things were not in the original design.

Mr. Williams commented on the new sidewalks and ramps, and the wall that was poured around the Library. It creates a change to the access pattern to the Library. The wall is a flood wall. It cuts off pedestrian access from Philadelphia Avenue. The only true pedestrian access will be the bridge in front. We may need to address a sidewalk from the Cedar Avenue intersection to the Library.

## **BUDGET WORKSESSION**

### **2. Communications**

Communications Manager Moffet described the changes in the web site over the past year. She said we've been using the web to announce timely things; working to keep the website as a vital tool. We are behind schedule with what we had hoped to do. We are looking at use of RSS feeds. We are not responsible for the content of the website, we are the enablers of those who have content. We are working to meet the international standards and keep it accessible. She explained how the Y2K date problem has been fixed.

Ms. Moffet described the plan to install new cable equipment when the work on the building is completed. It will be paid for out of the equipment grant. A percentage of Comcast and Starpower fees provide the funding for the grants, which can be used for installation, service, equipment, and engineering.

Ms. Moffet addressed the issue of translation. We have discussed this issue in the past four or five years. We have not identified separate money for translation. The school system translates documents into five languages. Translation costs around \$160 for three typed pages. Council will have to make a policy decision about translation and how it will be funded. A staff inventory of translated documents indicates that current document translation is only slightly better than random.

Council continued to discuss the issue. Ms. Austin-Lane suggested it may be time to revisit the translation issue. Ms. Mizeur asked about the County's protocols or those of the City of Rockville. Mr. Elrich suggested that Ms. Moffet contact both Rockville and Gaithersburg to see what they are doing about translation and how they are paying for it. Council asked about the use of volunteers for translation, what the City will be doing with translation for the City Election.

Mr. Seamens asked if staff can tell how much the mechanical translation is being used and suggested providing an opportunity for feedback.

Mr. Elrich suggested looking at a couple of different programs to evaluate them.

Ms. Porter asked about translation services by City staff and mentioned the importance of translating critical documents. Mr. Hobbs responded that a number of employees are certified for oral translation.

Mr. Seamens asked about the volunteer program and indicated that he is aware of Ward 4 residents who would be interested in participating. Ms. Moffet explained that the program is more decentralized now. Once the construction is completed, there may be more time to work on developing a more extensive volunteer program.

Ms. Moffet described the web streaming program that she will be proposing for purchase in FY05.

Council questioned Ms. Moffet about the decision making process that determines the programming on City TV.

Ms. Moffet described the technological issues involved. The City has six VCRs. Staff sets them up so that tapes can be changed once per day. She described the programming.

Mr. Barry thanked Ms. Moffet and Bob Guldin, the Newsletter editor for their efforts. The City is communicating more effectively. We've listened carefully to what our residents have said.

We are more proactive. The Community Center bond mailer was important.

### **3. General Government, Including Legal Services**

Ms. Matthews briefed the Council on the General Government budget. Overall it is up \$163,000. \$20,000 has been budgeted for the election. The resident survey has been rebudgeted at \$35,000. Legal services has been increased by about \$39,000. The procurement officer position has been eliminated, as has the part time passport agent. The City Clerk and Finance positions have been separated.

Ms. Matthews reported on information she had gathered about legal services in other cities, including Rockville, Gaithersburg and Frederick. She explained the systems used in Kansas City, Missouri and Lee's Summit where she has worked in the past. She indicated that she can explore in-house counsel further if Council wishes, but given the numbers she is not sure it would make sense for Takoma Park. Retainer agreements do not seem to be used here. I would say that what the city is doing seems to be the norm. The City Attorney, Sue Silber, indicated that she is open to talking about a retainer agreement.

Ms. Porter commented on a survey done by the Mayor of Somerset. Our hourly rate was the lowest in the communities surveyed.

Mr. Barry asked how Ms. Matthews would you characterize the level of complexity and the need for legal counsel for Takoma Park.

Ms. Matthews responded that there is a wide diversity of issues in a municipality. I don't think it is feasible to do it all with one person. Personnel law, for example, is constantly evolving. You need to have a good relationship with your city attorney. The amount of fees vary, for example, depending on lawsuits filed or actions taken by other levels of government. The City Attorney deals with a wide variety of issues, COLTA, general consultation, review of contracts, drafting of ordinances.

Mr. Seamens commented on resident concerns surrounding legal expenditures exceeding the budget amounts.

Ms. Matthews responded that the City Charter talks about exceeding the general classification of expenditures. The auditors would define a general classification as being at the fund level. The other issue is the City's procurement ordinance, which talks about the Council needing to approve professional services contracts exceeding \$5,000. There is ambiguity in the Code in that it doesn't contemplate the Silber and Perlman contract, which is not for a defined amount. The contract defines an hourly rate, which will vary depending on what happens throughout the year. Mr. Hobbs may want to take a look at this as we rewrite the procurement code. The contract for legal services, is almost identical with others I've had an involvement with.

Council discussed the control of funds. Mr. Seamens asked if Council is comfortable with

having the level of control at the fund level. Ms. Matthews said we might want to put this item on for discussion at a future worksession. The City Manager has some authority, but not to move funds around at will.

Ms. Matthews said when she and Mr. Hobbs looked at the history of legal services expenditures they tried to look at the trends. There are some general patterns. The wildcard is litigation. We tried to ballpark this. We will keep the Council updated as we go through the year.

## **BREAK**

The Council recessed for a scheduled break at 9:33 p.m. and reconvened at 9:54 p.m.

### **4. Police Department**

Ms. Matthews summarized the Police Department budget. There are no changes in FTE's. The number of crossing guards is the same as in FY05. The cost for accreditation is \$4,500 for three years. An onsite visit is scheduled for August of this year. Once the onsite visit occurs, we'll know whether or not we'll have an accredited Police Department.

Mr. Elrich asked about the cost necessary to maintain accreditation.

Chief Creamer said she recommends funding of a part-time accreditation manager. Takoma Park is the only department in Montgomery County that is not accredited.

Council discussed accreditation. Mr. Elrich said he is opposed to getting CALEA accreditation. He commented on the quality of some of the departments who are accredited.

Mr. Seamens commented that accreditation provides an independent verification that processes and procedures are being followed.

Ms. Porter said the value is in standardization and conformance to best practices. She indicated that she is not supportive of maintaining someone in between to manage accreditation.

Ms. Mizeur said she believes it is important for us to have the approval you get from going through this process. During the last election, this came up more than I would have anticipated. There had been some active writing and complaining about whether it is of value.

In response to a question from Mr. Williams, Chief Creamer said catch-up is not advised. For example, you have to have a standard on firing warning shots. We prohibit warning shots of any kind. You have a file for each standard. You have to show you are complying. You can't wait to gather the proof. If you do not maintain regularly you cannot show you are complying with the standard. The contractual accreditation manager was cut. We were accredited, and had an extension that expired in 2002. The final report was that we were very professional and had the standards, but we needed the proofs to ensure that we were following our own rules. I made the

decision to pull out of the process, rather than have our accreditation taken away. Chief Creamer explained how the accreditation work is currently being done. There is training required for doing the work. It can't be accomplished by officers temporarily on light duty.

Porter - primary cost is people. Once you hire someone, you don't get rid of them. I have a bias against hiring additional people. We need someone in one area, can move them to another area. I did support the finance manager. I don't think this passes the threshold for hiring a half person.

Mr. Seamens said there is an eight percent increase in property taxes to the residents with this budget. I want the budget to be lower than that. In that vein, I would agree with the Mayor. We need to find positions that we can cut within the City government. Accreditation is important for the police department. I still remain of the opinion that we have more positions in the department than are necessary, and that is an area where we can save.

Mr. Williams said we have fewer FTEs than we had five years ago. We have less than we had 15 years ago. The trend is to shift, re-prioritize. The long term trend has been downward.

Ms. Creamer next addressed Communications and CID. She said these are two areas that were explored by the TASDI Committee. Before any final decision is made, all the information has to be gathered. I would hope the County would compensate the City for our providing these services.

Mr. Elrich said I assumed we would have discussed this with the County already and gotten the reaction of the PSCAC. I am frustrated because the County has made it clear they will not give us a penny, we should have looked at this already.

Ms. Austin-Lane agreed. The County can only provide us with so much information before it is our duty to make a decision. What happens to our six positions if we stop 24-hour communications? I would like to see a proposal as to which of those positions we still need.

Ms. Porter said Council wants to explore this, along with the idea of shared policing. I would like to see follow up with more information including the impacts, costs, how they would work. Once we have the information, we should give the public an opportunity to weigh in with their opinion.

Mr. Seamens commented that there was frustration in regard to last year's budget. My frustration was with activity of the Police, not enough arrests, court cases. I have seen improvement in the past few months, with traffic stops, the speed trailer, and I see a real increase in the number of successful investigations. I would like to see CID statistics on how we are doing. Under the Chief's leadership, it appears we have improved significantly.

Ms. Matthews said she has contacted the County Executive's office to schedule a date to meet to discuss police communications.

Chief Creamer then reviewed the status of the crossing guard at the Old Philadelphia and Cedar Avenue intersection.

Chief Creamer addressed her efforts on the proposed CSAFE program in the Old Town area and Ms. Austin-Lane asked a number of questions about what is being done to move the project forward.

Chief Creamer described the funding sources that keep the CSAFE in the Crossroads area going. There are three employees funded through the program. She described her successful efforts to get funding so that they can have health insurance benefits. She explained other grants that the Police Department has and what is funded through them.

In response to a question from Mr. Barry, Chief Creamer explained the use of smaller cars for CID to make more of the larger cars available for patrols.

Ms. Mizeur asked about funds targeted for auto theft prevention and recovery.

Chief Creamer described the department's efforts to encourage the use of steering wheel locking devices which she had purchased. The devices are sold for \$10 each. The response has been very favorable. She said that next she would like to see where the highest auto theft rate is, and reduce the price or encourage total use in an area. In addition, the department is doing visual inspections and putting flyers in unsecured vehicles.

## **5. Non-Departmental**

Ms. Matthews explained the non-departmental accounts. The budget includes the personnel recognition program, pay increases for distinguished performance, the supplemental payment to the State employees retirement system, and the Employee Assistance Program. Under services and charges, the majority is insurance coverage not related to employees, including liability, property and auto insurance. The non-departmental budget also includes funds for employee training, boards and commissions, the general contingency account and the Council's contingency account. It includes the City's cost of operating the Day Laborer site, which is \$80,000. When the budget was prepared, Montgomery County indicated they would not be contributing. The indication now is that they will be contributing half the funding.

Council discussed the day laborer site and its funding, including the prospects for Prince George's County opening a site in the area.

Ms. Matthews commented on the property tax rebate monies included in the budget, and the Equipment Replacement Reserve. The \$100,000 for specialized litigation related to the hospital expansion which was included in the FY05 budget is not in the FY06 budget. If the funds are needed during the year, the Council can address it at that time.

## **6. Community Center Fund**

Ms. Matthews commented that there may be some adjustment between what we spend in FY05 and FY06. She said she assumes we would have paid out the majority of the James F. Knott contract prior to the end of the fiscal year, but she may have to come back to Council recommending some adjustment to these numbers.

## **7. Debt Service**

Ms. Matthews provided an overview of debt service. She noted that FY06 will be the first year we will make payments on the street rehabilitation loan. The Community Center bond closing is scheduled for later this month. FY06 will have a full year of debt service on that loan.

## **ADJOURN**

The Council adjourned for the evening at 11:31 p.m.